UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on January 8, 2021

UNITED STATES OF AMERICA	:	**CRIMINAL NO.**
	:	
v.	:	**MAGISTRATE NO. 21-MJ-199**
	:	
BRIAN MCCREARY,	:	**VIOLATIONS:**
	:	**18 U.S.C. §§ 1512(c)(2), 2**
Defendant.	:	**(Obstruction of an Official Proceeding)**
	:	**18 U.S.C. § 1752(a)(1)**
	:	**(Entering and Remaining in a Restricted**
	:	**Building or Grounds)**
	:	**18 U.S.C. § 1752(a)(2)**
	:	**(Disorderly and Disruptive Conduct in a**
	:	**Restricted Building or Grounds)**
	:	**40 U.S.C. § 5104(e)(2)(D)**
	:	**(Disorderly Conduct in**
	:	**a Capitol Building)**
	:	**40 U.S.C. § 5104(e)(2)(G)**
	:	**(Parading, Demonstrating, or Picketing in**
	:	**a Capitol Building)**

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about January 6, 2021, within the District of Columbia and elsewhere, **BRIAN MCCREARY**, attempted to, and did, corruptly obstruct, influence, and impede an official proceeding, that is, a proceeding before Congress, by entering and remaining in the United States Capitol without authority and engaging in disorderly and disruptive conduct.

(**Obstruction of an Official Proceeding and Aiding and Abetting**, in violation of Title 18, United States Code, Sections 1512(c)(2) and 2)

COUNT TWO

On or about January 6, 2021, within the District of Columbia, **BRIAN MCCREARY**, did unlawfully and knowingly enter and remain in a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, without lawful authority to do so.

(**Entering and Remaining in a Restricted Building or Grounds**, in violation of Title 18, United States Code, Section 1752(a)(1))

COUNT THREE

On or about January 6, 2021, within the District of Columbia, **BRIAN MCCREARY**, did knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, engage in disorderly and disruptive conduct in and within such proximity to, a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, when and so that such conduct did in fact impede and disrupt the orderly conduct of Government business and official functions.

(**Disorderly and Disruptive Conduct in a Restricted Building or Grounds**, in violation of Title 18, United States Code, Section 1752(a)(2))

COUNT FOUR

On or about January 6, 2021, within the District of Columbia, **BRIAN MCCREARY**, willfully and knowingly engaged in disorderly and disruptive conduct in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of

Congress and either House of Congress, and the orderly conduct in that building of a hearing before or any deliberation of, a committee of Congress or either House of Congress.

(**Disorderly Conduct in a Capitol Building**, in violation of Title 40, United States Code, Section 5104(e)(2)(D))

COUNT FIVE

On or about January 6, 2021, within the District of Columbia, **BRIAN MCCREARY**, willfully and knowingly paraded, demonstrated, and picketed in any United States Capitol Building.

(**Parading, Demonstrating, or Picketing in a Capitol Building**, in violation of Title 40, United States Code, Section 5104(e)(2)(G))

A TRUE BILL:

FOREPERSON.

Attorney of the United States in
and for the District of Columbia.